

REMARKS

Applicant respectfully requests reconsideration and allowance of subject application.

Claims 1-12 and 17-44 are canceled without prejudice.

Claims 13-16 and 45-46 are pending.

Applicant thanks the Examiner for the detailed analysis presented in this Office Action.

Allowed Claims

Claims 13-16 and 45-46 are allowed. (*Action*, page 14). Applicant thanks the Examiner for allowing these claims. These claims remain unchanged an in condition for allowance.

Claim Rejections

Claims 1-8, 20-29, 33, and 37-44 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-8, 13-22, and 23-31 of U.S. Patent No. 6,172,972. These claims are canceled without prejudice, thereby obviating the rejection.

Claims 9-12, 17-19, 30-32, and 34-36 stand rejected under 35 U.S.C. §§ 101 and 112, first paragraph. These claims are canceled without prejudice, thereby rendering moot the rejection.

Conclusion

Claims 13-16 and 45-46 are in condition for allowance. Applicant respectfully requests prompt allowance of the subject application. If any issue

1 remains unresolved that would prevent allowance of this case, the Examiner is
 2 requested to urgently contact the undersigned attorney to resolve the issue.

Respectfully Submitted,

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 5 Date: Dec 21, 2004

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